

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GREGORY DIATCHENKO,
Plaintiff,

v.

CIVIL ACTION NO.
14-12699-WGY

UMASS CORRECTIONAL HEALTH CARE,
et al.,

Defendant.

ORDER

Plaintiff Gregory Diatchenko originally filed a joint complaint that was part of a multi-plaintiff civil rights action. See Stote, et al. v. UMASS Correctional Health Care, et al., C.A. No. 13-10267-NMG (the "2013 action"). The 2013 action was initiated by MCI Norfolk inmate John E. Stote concerning alleged inadequate medical care at MCI Norfolk. On June 25, 2014, the judge assigned to the 2013 action severed the individual prisoner claims into separate cases. See No. 13-10267-NMG, 06/25/2014 Memorandum and Order (the "June Order"), Docket #20.

Pursuant to the directives of the June Order, the Clerk opened a new case for Diatchenko. See Docket, 14-12699-WGY. The June Order was mailed to Diatchenko. Id.

Diatchenko has not responded to the Court's order and the time to do so has expired. The Order was not returned to the Court as undeliverable and a search of the on-line Victim Information & Notification Everyday (VineLink) homepage reveals that Mr. Diatchenko is still incarcerated at MCI Norfolk. See VineLink Offender Locator, <http://www.vinelink.com> (last visited

Nov. 17, 2014).

The fact that Diatchenko has not responded to the Court's order suggests that he has decided not to press his individual claim. The Supreme Court has recognized that district courts have inherent power to dismiss cases for failure to prosecute. See Link v. Wabash R.R. Co., 370 U.S. 626, 629 (1962) ("The authority of a federal trial court to dismiss a plaintiff's action with prejudice because of his failure to prosecute cannot seriously be doubted."). The Court is not required to delay disposition in this action.

For the foregoing reasons, it is hereby ORDERED this action is DISMISSED without prejudice.

SO ORDERED.

November 18, 2014
DATE

/s/ William G. Young
William G. Young
UNITED STATES DISTRICT JUDGE